

REFERENCE TITLE: harassment; classification; definition

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2407

Introduced by
Representatives Hershberger, Bradley

AN ACT

AMENDING SECTION 13-2921, ARIZONA REVISED STATUTES; RELATING TO OFFENSES AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-2921, Arizona Revised Statutes, is amended to
3 read:

4 13-2921. Harassment; classification; definition

5 A. A person commits harassment if, with intent to harass or with
6 knowledge that the person is harassing another person, the person:

7 1. Anonymously or otherwise communicates or causes a communication
8 with another person by verbal, electronic, mechanical, telegraphic,
9 telephonic or written means in a manner that harasses.

10 2. Continues to follow another person in or about a public place for
11 no legitimate purpose after being asked to desist.

12 3. Repeatedly commits an act or acts that harass another person.

13 4. Surveils or causes another person to surveil a person for no
14 legitimate purpose.

15 5. On more than one occasion makes a false report to a law
16 enforcement, credit or social service agency.

17 6. Interferes with the delivery of any public or regulated utility to
18 a person.

19 B. A person commits harassment against a public officer or employee if
20 the person, with intent to harass, files a nonconsensual lien against any
21 public officer or employee that is not accompanied by an order or a judgment
22 from a court of competent jurisdiction authorizing the filing of the lien or
23 is not issued by a governmental entity or political subdivision or agency
24 pursuant to its statutory authority, a validly licensed utility or water
25 delivery company, a mechanics' lien claimant or an entity created under
26 covenants, conditions, restrictions or declarations affecting real property.

27 C. Harassment under subsection A is a class 1 misdemeanor EXCEPT THAT
28 IF THE DEFENDANT IS AT LEAST EIGHTEEN YEARS OF AGE AND KNOWS OR HAS REASON TO
29 KNOW THE VICTIM IS A MINOR IT IS A CLASS 5 FELONY. Harassment under
30 subsection B is a class 5 felony.

31 D. This section does not apply to an otherwise lawful demonstration,
32 assembly or picketing.

33 E. For THE purposes of this section, "harassment" means ANY OF THE
34 FOLLOWING:

35 1. Conduct THAT IS directed at a specific person ~~which~~ AND THAT would
36 cause a reasonable person to be seriously alarmed, annoyed or harassed and
37 the conduct in fact seriously alarms, annoys or harasses the person.

38 2. CONDUCT THAT SERVES NO LEGITIMATE PURPOSE AND THAT WOULD CAUSE A
39 REASONABLE PERSON TO SUFFER SUBSTANTIAL EMOTIONAL DISTRESS AND THE CONDUCT IN
40 FACT CAUSES SUBSTANTIAL EMOTIONAL DISTRESS.

41 3. CONDUCT THAT CONSISTS OF CONTACT BY A PERSON WHO IS AT LEAST
42 EIGHTEEN YEARS OF AGE WITH A MINOR AND THAT WOULD CAUSE A REASONABLE PARENT
43 TO FEAR FOR THE WELL-BEING OF THE PARENT'S MINOR CHILD WHO IS THE TARGET OF
44 THE CONTACT.